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Serial No. 10/776,058
Reply to Office Action dated January 31, 2007

Docket No. 3655/0241PUS1**REMARKS/ARGUMENTS**

Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks. Claims 1-30 are pending in the application. Applicants respectfully request reconsideration of the application and seek timely allowance of the pending claims.

Allowable Subject Matter

Applicants note with appreciation the indication on page 4 of the Office Action that claims 28-30 are allowed. Applicants also note with appreciation the indication on page 4 of the Office Action that claims 4-12 and 17-23 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. However, Applicants submit this is not necessary in view of the following remarks.

Claim Rejections – 35 U.S.C. §103**Avery - de Verteuil**

Claims 1, 2, 3, 13, 16, and 24-25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Avery (2004/0038677) in view of de Verteuil (U.S. Patent No. 7,035,647). Applicants respectfully traverse this rejection because the cited references fail to teach all of the claimed elements, and further because the Examiner failed to provide adequate motivation to establish a prima facie case of obviousness.

Avery teaches a system having a central metering station 10 which comprises a large computer 12 and a transceiver 14 coupled to antennas 16, 18 which may provide antenna diversity. The computer 12 stores a map of the entire system. A plurality of

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geographically distributed radio metering units M1 to M7, for example water metering units, are connected to each of the domestic and industrial premises receiving the particular commodity. Each metering unit comprises a radio transceiver coupled to an antenna which may be incorporated into the lid of a boundary box containing the meter or which may comprise a whip antenna suitably positioned to provide good signal reception and propagation. The radio metering units are loosely arranged in clusters which are operatively associated with network interrogation units NIU (1) and NIU (2). Each of the network interrogation units includes a transceiver to enable it to receive messages from the metering units in its cluster and to relay messages to the central metering station. A transponder station TS1 is carried by a person or an article (for example, a vehicle or package). Each transponder station comprises a transceiver and storage for storing a unique identity which is included in transmitted messages. (See [0019-0021], Fig. 1.)

In a location finding mode, the central metering station 10 sends a short message including a unique address, such as "TS1", to some or all of the NIUs depending on the breath of the search. The NIUs transmit on a dedicated emergency channel F1 receivable by all the transponder stations: "TS1 please transmit your ID on frequency F2". The frequency F2 is the customary frequency used for metering units to transmit to their NIU. The frequency F2 could be different depending upon the area, type of utility and company owning the meter reading system. The transponding station TS1 responds to the above message by retuning its transmitter to the frequency F2 and transmits "TS1 responding". This message is received by in-range radio metering units and perhaps also by some interrogation units NIUs. The metering units measure the strength of the received signal. When interrogated by the interrogation unit poling in

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turn the metering units in its cluster, messages such as "Meter M1 has heard TS1 at signal level 56" and "Meter M2 has heard TS1 at signal level 23" are transmitted. The interrogation unit relays these messages to the central metering station 10 which using the map data stored in its data base can determine the location of the metering unit which received the message with the highest signal level. The relatively high density of metering units in an urban area will mean that the person, article or vehicle carrying the transponding station TS1 can be identified visually. If the transponder station is moved then its movement can be tracked. (See [0023-0024].)

However, Avery fails to teach, at least, "a first signal monitor for measuring: (i) the signal strength at said first signal monitor of a first packet transmitted by an emitter," as recited in claim 1. (Emphasis added.)

As indicated in the Office Action, the Examiner asserts the "first signal monitor" is being interpreted as Avery's network interrogation unit (NIU1), and further asserts that the "emitter" is being interpreted as a radio metering unit M1. The Examiner further asserts that Avery "discloses the interrogation station acquiring signal strength measurements from radio units." (See Office Action, page 2, paragraph no. 2, lines 3-7.)

Applicants respectfully submit the Examiner is not fully considering the above quoted feature of claim 1. Avery merely teaches that the network interrogation unit NIU receives signal strength measurements of signals transmitted by the transponder station TS1 via the radio metering unit M1. Specifically, Avery teaches that "the transponding station in response to hearing its radio identity in an enquiry signal transmits a reply signal ... the radio units in response to identifying the transponding station determine the received signal strength, and each of the radio units relaying the

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radio identity and the determined received signal strength together with its own identity to at least one of the interrogating stations." (See [0006].)

De Verteuil fails to cure the deficiencies of Avery in this respect. De Verteuil merely teaches a system which allows for more efficient use of resources for providing location information in a wireless network where multiple sources of such information may be available. In one implementation, a first source of location information such as Cell ID information is used to monitor the location of a mobile unit.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 1. Additionally, independent claim 16 recites related subject matter and therefore should be considered allowable for similar reasons. Claims depending from independent claims 1 and 16 are allowable by virtue of their dependency, as well as for the additional limitations recited therein.

Avery - de Morioka

Claims 14, 15, 26, and 27 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Avery in view of de Morioka (2006/0112272). Applicants respectfully traverse this rejection. Applicants submit that Morioka fails to cure the deficiencies of Avery as applied in the rejection of independent claims 1 and 16, as noted above. Therefore, these dependent claims are allowable at least by virtue of their dependency from their respective independent claims.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any

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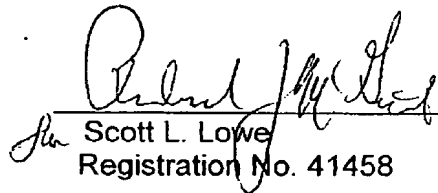
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additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-1602 and please credit any excess fees to such deposit account.

Respectfully submitted,


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